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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 MONTRAIL D. SMITH,

9 Petitioner,

2:15-cv-00487-KJD-VCF

10 vs.

ORDER

11 RENEE BAKER, *et al.*,

12 Respondents.
13 _____/

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15 The petitioner in this habeas corpus action, Montrail D. Smith, was due to file a first
16 amended habeas petition on February 26, 2015. *See* Order entered September 30, 2015 (ECF
17 No. 15).

18 On February 26, 2016, Smith filed a motion for extension of time (ECF No. 18), requesting a
19 31-day extension of time -- to March 28, 2016 -- to file his first amended petition. This would be the
20 third extension of time for Smith to file his first amended petition; he was previously granted a 90-
21 day extension and then a 60-day extension. Smith's counsel states that a third extension of time is
22 necessary because of the complexity of the case and because of his other obligations. Respondents
23 do not oppose the extension of time.

24 The court finds that the motion for extension of time is made in good faith and not solely for
25 the purpose of delay, and that there is good cause for the requested extension of time. The court will
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1 grant the motion for extension of time, and extend to March 28, 2016, the time for Smith to file a
2 first amended petition. The court will not look favorably upon any motion to further extend this
3 deadline.

4 **IT IS THEREFORE ORDERED** that petitioner's motion for extension of time (ECF No.
5 18) is **GRANTED**. Petitioner shall have until and including **March 28, 2016**, to file a first amended
6 petition for writ of habeas corpus.

7 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
8 proceedings set forth in the order entered July 1, 2015 (ECF No. 13) shall remain in effect.

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10 Dated this 1 day of March.

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UNITED STATES DISTRICT JUDGE